

D-H-A-T-T

Honorable William Colby
Director
Central Intelligence Agency
Washington, DC 20505

Dear Mr. Colby:

Mr. Harold Weisberg has in progress a suit against the General Services Administration for access to a transcript of an executive session of January 27, 1964, of the President's Commission on the Assassination of President Kennedy (the Warren Commission) which is in our custody. The Central Intelligence Agency requested us to withhold this transcript from research in a letter of December 22, 1972. A copy of the transcript was furnished to Mr. Arthur Dooley, formerly of your staff, and should be in the files he maintained relating to the review of records of the Commission.

Enclosed are copies of the guidelines prepared by the Department of Justice in 1965 for the review of the Commission's records and a letter of August 17, 1966, from Assistant Attorney General Wozniak authorizing the National Archives to conduct reviews of the records created by the Commission. Although the transcript of the executive session of the Commission of January 27, 1964, was reviewed as recently as 1972 subsequent to the issuance of Executive Order 11652 (37 F.R. 5209), we feel that we should treat Mr. Weisberg's suit as the equivalent of a request for a mandatory review of the transcript as a security classified document that is now 10 years old under the terms of Executive Order 11652, Section 5 (D) and Section 11. We

I have reviewed the transcript and have decided that it probably could be declassified. I shall appreciate it if you will review the transcript in accordance with the terms of Executive Order 11652 and inform me of any objection you may have to the declassification of the transcript or of any part of it. If you think the transcript or any part of it should retain a security classification, please inform me of the level of classification you feel it should have and the relevant basis for classification listed in Section 5 (B) of Executive Order 11652. If you think the transcript should be declassified but withheld from research, as a whole or in part, under some other exemption of the "Freedom of Information Act" (5 U.S.C. 552) than subsection (b) (1), please inform me of that exemption and of any relevant guideline. We are also requesting the Department of Justice to review the transcript.

The following members of our staff will be pleased to furnish any further information you require: Mr. Mark G. Eckhoff and Mr. Marion M. Johnson of the National Archives (Code 13, extension 23171) and Mr. Steven Garfinkel of the Office of General Counsel of GSA, (Code 183, extension 4947).

Sincerely,

JAMES B. RHOADS
Archivist of the United States

Enclosure

D-I-A-F-T

Honorable William B. Saxbe
Attorney General of the United States
Department of Justice
Washington, DC 20530

Dear Mr. Attorney General:

Mr. Harold Weisberg has in progress a suit against the General Services Administration for access to a security classified transcript of an executive session of January 27, 1964, of the President's Commission on the Assassination of President Kennedy (the Warren Commission) which is in our custody. The discussions of the members of the Commission reported in the transcript include matters which involve the Department of Justice.

We feel that we should treat Mr. Weisberg's suit as the equivalent of a request for a mandatory review of the transcript as a security classified document that is now 10 years old under the terms of Executive Order 11652, Section 5 (D) and Section 11. We have reviewed the transcript and have decided that it probably can be declassified. Enclosed are copies of the guidelines prepared by the Department of Justice in 1965 for the review of the Commission's records and a letter of August 17, 1966, from Assistant Attorney General Wozeneraft of the Office of Legal Counsel authorizing the National Archives to conduct reviews of the records created by the Commission. I shall appreciate it if you will review the transcript, which we will make available to you, in accordance with the terms of Executive Order 11652 and inform me of any objection you may have to the declassification of the

transcript or of any part of it. If you feel that the transcript or any part of it should retain a security classification, please inform me of the level of classification required and the relevant basis for the classification listed in Section 5 (B) of Executive Order 11652. If you think the transcript should be declassified but withheld from research as a whole or in part under some other exemption of the "Freedom of Information Act" (50.U.S.C. 552) than subsection (b) (1), please inform me of that exemption and of any relevant guideline. We are also requesting the Central Intelligence Agency to review the transcript.

The following members of our staff will be pleased to furnish any further information you require: Mr. Mark G. Eckhoff and Mr. Marion M. Johnson of the National Archives (Code 13, extension 23171) and Mr. Steven Garfinkel of the Office of General Counsel of GSA (Code 183, extension 4947).

Sincerely,

JAMES B. RHOADS
Archivist of the United States

Enclosure